

# **Los Alamos National Laboratory Oversight Committee**



## **2003 INTERIM REPORT**

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*January 2004  
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Los Alamos National Laboratory Oversight Committee - 2003 Interim Report

**2003 APPROVED  
WORK PLAN, MEETING SCHEDULE AND BUDGET  
for the  
LOS ALAMOS NATIONAL LABORATORY  
OVERSIGHT COMMITTEE**

**Work Plan**

The Los Alamos National Laboratory Oversight Committee was created by the Legislative Council on May 13, 2003. The committee members are:

Rep. Roberto "Bobby" J. Gonzales, Co-Chair  
Sen. Phil A. Griego, Co-Chair  
Sen. Manny M. Aragon  
Sen. William H. Payne  
Rep. Debbie A. Rodella  
Rep. Nick L. Salazar

**Advisory members are:**

Rep. Ben Lujan  
Sen. Richard C. Martinez  
Sen. Richard M. Romero  
Sen. William E. Sharer  
Rep. Jeannette O. Wallace

The committee proposes to review the activities, operation and management of Los Alamos National Laboratory (LANL), including state-related issues concerning the laboratory's management contract currently out for bid; to take testimony from various persons, including members of the public, on state-related issues concerning the laboratory; and to report its findings to the laboratory and the New Mexico Legislature. The committee proposes to hold a joint meeting in Santa Fe with the Radioactive and Hazardous Materials Committee in an effort to discuss environmental issues concerning LANL. The committee proposes to also focus on the hiring, job training, continuing education and promotion experience at the laboratory, and on any changes that could be made at the laboratory and in New Mexico's public school and higher educational systems to support New Mexicans in their efforts to pursue successful careers at the laboratory.

**Budget**

One-day meeting in Santa Fe (June 16)  
Luncheon meeting at LANL (June 23)  
One-day meeting in Santa Fe (July 11)  
One-day meeting in Los Alamos (August 18)  
One-day meeting in Española (September 8)  
One-day meeting in Sacramento, California, with members  
of the California State Senate Select Committee on Oversight

of the Department of Energy Laboratories operated by the  
University of California (October 9)

One-day meeting in Santa Fe (November 8)

**Total Budget Approved**

**\$10,000\***

\*This amount does not include the \$4,791.40 budget required for per diem and mileage for advisory members and does not include the \$4,794.32 required for advisory members' travel for October meeting in California.

June 3, 2003

**TENTATIVE AGENDA  
for the  
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**

**June 16, 2003  
Room 309, State Capitol**

**Monday, June 16**

9:00 a.m.

CALL TO ORDER

—Representative Roberto "Bobby" J. Gonzales, Co-chairman

ADOPTION OF COMMITTEE WORK PLAN

ADJOURN

**MINUTES  
of the  
FIRST MEETING  
of the  
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**

**June 16, 2003  
Room 309, State Capitol**

The first meeting of the Los Alamos National Laboratory (LANL) Oversight Committee was called to order on Monday, June 16, at 9:55 a.m. in Room 309 of the State Capitol by Senator Phil A. Griego, Co-chair.

**PRESENT**

Sen. Phil A. Griego, Co-chair  
Rep. Roberto J. "Bobby" Gonzales, Co-chair  
Sen. Manny M. Aragon  
Rep. Debbie A. Rodella

**ABSENT**

Sen. William H. Payne  
Rep. Nick L. Salazar

**Advisory Members**

Rep. Ben Lujan  
Sen. Richard C. Martinez  
Rep. Jeannette O. Wallace

Sen. Richard M. Romero  
Sen. William E. Sharer

**Staff**

Jonelle Maison  
Jeret Fleetwood

**Guests**

The guest list is in the original meeting file.

**Adoption of a Committee Work Plan and Budget**

The committee began by discussing potential meeting dates. Senator Aragon raised the possibility of the committee traveling to California to meet with members of the California State Senate Select Committee on Oversight of Department of Energy Laboratories operated by the University of California. The committee tentatively scheduled a trip to California on October 8, 9 and 10 and will request Legislative Council approval for the meeting.

Other meeting dates and locations were agreed upon by the committee, and the committee agreed to request that a house republican be appointed as a regular member. Representative Wallace recommended Representative Anderson for the appointment.

The committee went on to craft a work plan. The tentative work plan was amended to include the committee's monitoring of the LANL management and RFP process. Members noted that the Legislative Council had discussed the possibility of not forming a citizens advisory group to the committee and, instead, naming some members of the citizens advisory group formed in 2002 to the interim committee as voting members. The committee expressed some concern over such an arrangement. Members stated that the format of a committee composed of legislators taking advice from a citizens group would be preferable to one committee made up of both public and legislative members, emphasizing that communication between the two groups and a clear understanding of the expectations by the committee of the citizens group would maximize the value of a citizens advisory group.

The committee also discussed the possibility of meeting jointly with the Radioactive and Hazardous Materials Committee as a means of addressing environmental issues concerning LANL.

#### **Presentation from Los Alamos National Laboratory**

Rick Ulibarri of the LANL Government Relations Office stated that committee members were invited to the laboratory on Monday, June 23, 2003, to discuss the University of California's possible contract to manage the laboratory with representatives of the university's board of regents.

The committee adjourned at 10:35 a.m.

July 3, 2003

**TENTATIVE AGENDA  
for the  
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**

**July 11, 2003  
Room 321, State Capitol**

**Friday, July 11**

10:00 a.m.	CALL TO ORDER —Representative Roberto "Bobby" J. Gonzales, Co-chairman
10:05 a.m.	COMMITTEE BUSINESS —Approval of minutes —Legislative Council approval of work plan
10:15 a.m.	CITIZEN ENVIRONMENTAL CONCERNS —Elaine Cimino, La Cienega Citizens for Environmental Safeguards
10:45 a.m.	LOS ALAMOS NATIONAL LABORATORY (LANL) WORKFORCE ISSUES —Loyda Martinez —Chuck Montano, Chair, Hispanic Round Table of New Mexico
12:00 noon	LUNCH
1:30 p.m.	THE FUTURE OF LANL —Pete Nanos, Director
	ADJOURN



**MINUTES  
of the  
SECOND MEETING  
of the  
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**

**July 11, 2003  
Room 321, State Capitol**

The second meeting of the Los Alamos National Laboratory (LANL) Oversight Committee was called to order on Friday, July 11, 2003, at 10:05 a.m. in Room 321 of the State Capitol by Senator Phil A. Griego, co-chair.

**PRESENT**

Rep. Roberto "Bobby" J. Gonzalez, Co-chair  
Sen. Phil A. Griego, Co-chair  
Rep. Thomas A. Anderson  
Rep. Debbie A. Rodella  
Rep. Nick L. Salazar

**ABSENT**

Sen. Manny M. Aragon  
Sen. William H. Payne

**Advisory Members**

Rep. Ben Lujan  
Sen. Richard C. Martinez  
Rep. Jeannette O. Wallace

Sen. Richard M. Romero  
Sen. William E. Sharer

**Staff**

Jonelle Maison  
Jeret Fleetwood

**Guests**

The guest list is in the original meeting file.

On a motion made, seconded and unanimously approved, the committee adopted the minutes to the June 16 meeting as submitted.

On a motion made, seconded and unanimously approved, the committee adopted the work plan as approved by the New Mexico Legislative Council.

**Citizen Environmental Concerns**

Elaine Cimino of La Cienega Citizens for Environmental Safeguards provided the committee with a list of environmental issues regarding LANL and the Department of Energy, particularly cleanup of waste buried in LANL's Area G, and questioned whether New Mexico has the right to regulate radioactive waste within its borders.

Greg Mellow of the Los Alamos Study Group discussed ongoing litigation involving the

New Mexico Department of Environment, LANL, the Department of Energy and the University of California. He noted that federal decisions generally supersede issues of state sovereignty.

Rick Ulibarri of LANL explained that closed negotiations between the laboratory and the New Mexico Department of Environment are currently being held to address some of the concerns raised by Ms. Cimino and Mr. Mellow.

Jim Brennan, chair of the Northern New Mexico Citizens Advisory Board (NNMCAB), also responded to the concerns raised by Mr. Mellow and Ms. Cimino. He explained that the NNMCAB is composed of voluntary members who function independently of other citizens groups and LANL and who work to try to arrive at conclusions based on hard scientific evidence about the concerns raised by groups such as Ms. Cimino's. He also noted that New Mexico's ability to regulate cleanup of sites like Area G is a central issue. Mr. Brennan said that he would put Ms. Cimino's concerns on the NNMCAB agenda for investigation. Finally, he addressed the tremendous costs associated with cleanup of sites like Area G.

### **Los Alamos National Laboratory Workforce Issues**

Charles "Chuck" Montano, chair of the Hispanic Round Table (HRT), provided the committee with the results of a parity analysis conducted by HRT that shows Hispanics employed by LANL earn significantly lower salaries than other ethnic groups. Mr. Montano noted that the critical flaw in the HRT study was the use of surnames to determine the ethnicity of LANL employees, rather than information the laboratory possesses regarding the ethnicity of all its employees. He also stated that the laboratory had contracted with Welch Consulting to perform a parity analysis using the ethnic data kept by the laboratory, but the results of the report were still not available, even though the contract for the study was secured over two years ago. Mr. Montano asked that committee members try to obtain a copy of the Welch report from LANL officials so that HRT could compare its study results.

Loyda Martinez, a LANL employee, provided the committee with comments detailing her claims of unfair management practices at LANL, which reward a select few employees while punishing whistle-blowers. She also expressed concern over the University of California having to bid on the contract to manage LANL. While she said she did support the University of California continuing to manage LANL, she did so with reservations, emphasizing she would prefer to see the current contract revised to provide for better treatment of lab employees.

Manuel Trujillo, another LANL employee, echoed Ms. Martinez's claims of unfair management practices at the laboratory. He also suggested improving the relationship between management and labor; ending the practice of the Department of Energy covering the laboratory's legal costs when it has to defend itself against employee claims of retaliation and discrimination; and permanently addressing the issue of pay disparity. Mr. Trujillo also supported the University of California retaining the contract to run the laboratory, but with the same reservations as Ms. Martinez expressed about contract reform.

Teresa Gonzales-Connaughton, another LANL employee and president of University Professional and Technical Employees (UPTe), a union at LANL, provided the committee with

an overview of the union she represents and its concerns over workforce issues. She, too, expressed her support for the University of California to retain its contract with the laboratory. However, she noted that the union is concerned that whatever negotiations take place over the contract will take place behind closed doors, without input from employees or the public. Also, the union wants to be sure that all current lab employees will remain employed at LANL no matter what entity winds up managing it.

Lorraine Lucero, a procurement contractor at LANL, told the committee about difficulties she has had with the internal grievance system in place at LANL. She stated that employees who file grievances are met with retaliatory practices and threats, forcing them instead to file complaints with the EEOC. She also noted that employees who filed similar grievances at Lawrence Livermore National Laboratory, another Department of Energy laboratory managed by the University of California, received a settlement of \$10,000 each. However, LANL officials told her that a similar remedy for LANL employees was not available.

Lydia Clark, a former member of the Citizens Advisory Group to the committee in 2002, noted that the environmental community is in full support of seeing the workforce issues resolved because those issues and environmental ones both involve protecting the public.

Ken Silver of the Los Alamos Project on Worker Safety provided the committee with his own experience and anecdotes of others who have had difficulty in obtaining medical records from the lab. He advised the committee to beware of what he called the "Saigon scenario", and told them to watch for the destruction or transfer of documents regarding worker safety, such as classified medical records, if management of LANL changes hands.

### **The Future of LANL**

Pete Nanos, acting director of LANL, began by summing up the work he has done to improve the laboratory and its image since being appointed as director six months ago. He noted that he worked first to upgrade LANL's business management practices, and cited statistics to show that while there had been some purchasing and credit card fraud, it was really only a very small portion of the total amount of purchases and credit card transactions LANL conducts each year. For instance, Mr. Nanos noted that there had been some \$14,500 in purchasing fraud, but that that was a relatively small portion of the \$22 million in purchases the laboratory makes each year.

Mr. Nanos went on to discuss some of the reforms he has already made at the laboratory and others he has planned for the future, and addressed some of the concerns voiced by earlier speakers. For example, some of the ongoing cases involving workforce issues and grievances, such as Ms. Martinez's, have been referred to the University of California for an external investigation.

Other discussions involved release of the Welch report, which Mr. Nanos said he would release when he was sure the numbers contained in it were absolutely correct; upward mobility for LANL employees; and his assessment of the likelihood that the University of California will retain the contract to manage the laboratory.

There being no further business, the committee adjourned at 2:55 p.m.

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Revised: August 14, 2003

**TENTATIVE AGENDA  
for the  
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**

**August 18, 2003  
Los Alamos Research Park Conference Room  
Los Alamos**

**Monday, August 18**

- 10:00 a.m.    CALL TO ORDER  
                  —Senator Phil A. Griego, Co-chairman
- 10:05 a.m.    COMMITTEE BUSINESS  
                  —Approval of minutes  
                  —Staff reports
- 10:15 a.m.    WELCOME — LANL OVERVIEW AND ACCOMPLISHMENTS  
                  —George P. Nanos, Director
- 11:00 a.m.    FIRE MODELING TECHNOLOGY— BRIEFING AND DEMONSTRATION  
                  —George P. Nanos, Director  
                  —FIRETEC Principal Investigator
- 11:15 a.m.    STRATEGIC RESEARCH, ENERGY PROGRAMS AND BUSINESS  
                  DEVELOPMENT  
                  —Thomas J. Meyer, Associate Director for Strategic Research
- 12:00 noon    WORKING LUNCH
- TRIBAL RELATIONS PROGRAMS  
                  —Elmer Torres, Tribal Relations  
                  —Barbara Grimes, Tribal Relations
- EDUCATION PROGRAMS  
                  —Bill Press, Deputy Director for Science and Technology
- STUDENT PERSPECTIVE  
                  —LANL Students

- 1:00 p.m.      NATIONAL SECURITY MISSION (UNCLASSIFIED VERSIONS)  
—NUCLEAR WEAPONS PROGRAM  
                 STOCKPILE STEWARDSHIP  
                 —Raymond Juzaitis, Associate Director for Weapons Physics
- PIT MANUFACTURING  
                 —Richard Mah, Associate Director for Weapons Engineering and  
                 Manufacturing
- THREAT REDUCTION  
                 —Donald D. Cobb, Associate Director for Threat Reduction
- HOMELAND SECURITY  
                 —Mary Ann Yates, Senior Advisor, Threat Reduction Initiatives
- 2:00 p.m.      HAND-HELD ISOTOPE DETECTOR DEMONSTRATION  
—William S. Murray, Project Leader for Special Instrumentation
- 2:15 p.m.      BUSINESS OPERATIONS PRESENTATION  
—Rich Marquez, Associate Director for Administration
- 2:45 p.m.      PUBLIC COMMENT
- 3:15 p.m.      ADJOURN

**MINUTES  
of the  
THIRD MEETING  
of the  
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**

**August 18, 2003  
Research Park Conference Room  
Los Alamos**

The third meeting of the Los Alamos National Laboratory (LANL) Oversight Committee was called to order on Monday, August 18, at 10:15 a.m. in the conference room of the Los Alamos Research Park by Senator Phil A. Griego, co-chair.

**PRESENT**

Rep. Roberto "Bobby" J. Gonzales, Co-chair  
Sen. Phil A. Griego, Co-chair  
Rep. Thomas A. Anderson  
Sen. Manny M. Aragon  
Rep. Debbie A. Rodella  
Rep. Nick L. Salazar

**ABSENT**

Sen. William H. Payne

**Advisory Members**

Rep. Ben Lujan  
Sen. Richard C. Martinez  
Rep. Jeannette O. Wallace

Sen. Richard M. Romero  
Sen. William E. Sharer

**Staff**

Raúl Burciaga  
Jeret Fleetwood

**Guests**

Senator Joseph J. Carraro and Representative Luciano "Lucky" Varela attended the meeting. The guest list is in the original meeting file.

On a motion made, seconded and unanimously approved, the committee adopted the minutes to the July 11 meeting as submitted.

**Welcome — LANL Overview and Accomplishments**

George P. Nanos, director of LANL, welcomed the committee to the laboratory and provided members with an update of his activities since being named permanent laboratory director. He discussed the balance the laboratory must strike between being a scientific facility and a national laboratory; the core values he is trying to instill in his managers; planned reforms to the business operations of the laboratory; and the likely impact of payment of gross receipts taxes on the laboratory's budget and work force.

Mr. Nanos also presented the Welch study, regarding pay disparities between ethnic and

gender groups at LANL, to the committee. The committee expressed concern over the results of the study, particularly with regard to the inclusion of certain variables in the data Mr. Welch used for his analysis and whether the results are indicative of pay disparities. Mr. Nanos indicated that he would work to correct whatever pay disparities were found in the Welch study. He also noted that he is already discouraging laboratory managers from hiring new employees at significantly higher salaries than longtime employees are being paid, which is one cause of salary disparities.

### **Tribal Relations Programs**

Elmer Torres and Barbara Grimes of the LANL Tribal Relations Office provided the committee with an overview of the tribal relations programs at the laboratory, including the history, function and current concerns of the programs. They noted that their office works primarily with the tribes in the immediate area, such as the pueblos of Jemez, Santa Clara, San Ildefonso and Pojoaque, but that they do conduct business with all of the Native American entities in the state. Also, they explained that while they mostly address environmental concerns, they also focus on health and safety issues.

### **Strategic Research, Energy Programs and Business Development**

Thomas J. Meyer, associate director for strategic research at LANL, discussed several of the projects the laboratory is currently involved in and how those projects affect both New Mexico and the nation as a whole. The projects Mr. Meyer discussed included fuel cell research; superconductors; expanding energy generation capabilities without depleting water resources; and genome research.

### **Education Programs**

Bill Press, deputy director for science and technology at LANL, provided the committee with testimony regarding several of the educational programs the laboratory is involved with. Among those programs are student internships, undergraduate and graduate research programs and the Northern New Mexico Council for Excellence in Education.

The committee questioned whether the programs discussed target at-risk students or focus mainly on those students at the head of the class, and suggested that some outreach be made to at-risk students to engage them before they consider dropping out of school.

### **Student Perspectives**

Leo Jaramillo, Daniel Montoya, Cristella Valdez and Joseph Aguilar, all former participants in LANL internship programs, spoke to the committee about their experiences in the educational programs offered by the laboratory and how those experiences helped them pursue successful academic careers.

### **National Security Mission**

Raymond Juzaitis, associate director for weapons physics at LANL, discussed the nuclear weapons program at the laboratory. He explained the role nuclear technology plays in the continuing national security mission of LANL. In particular, he mentioned certification of the



nation's aging nuclear stockpile and the use of computerized tools to predict weapon performance, rather than actually testing weapons. Mr. Juzaitis also noted that the laboratory has been allocated \$1.2 billion for weapons programs, money that translates into high-quality jobs at the laboratory. He also said that one component of the weapons work performed at LANL is the consideration of the kinds of nuclear devices that other nations and terrorists might devise as a means of mitigating those types of threats.

Richard Mah, associate director for weapons engineering and manufacturing at LANL, also discussed the nuclear weapons program at the laboratory. He noted that manufacturing is the fastest growing aspect at the laboratory, in part because selected nuclear weapons must be taken apart to ensure that they are working properly, thus creating a need to replace the weapons that have been disassembled. Mr. Mah also explained the role the plutonium "pit" plays in the manufacture of weapons, and noted that while the laboratory's official position is that it does not want the modern pit facility to be located at LANL, such a facility would mean growth and jobs for the laboratory.

Donald Cobb, associate director for threat reduction at LANL, discussed the laboratory's threat reduction program. He explained that threat reduction involves limiting the proliferation of weapons of mass destruction through surveillance and control of both the materials and expertise required to manufacture such weapons. Mr. Cobb also noted that other areas of concern are biological threats and attacks on infrastructure, which have led the laboratory to do some work on traffic pattern and infrastructure modeling and to develop means of monitoring the atmosphere to better understand what it is already composed of in order to be able to identify newly introduced elements.

Ronald Dolin of the Center for Homeland Security at LANL discussed the history of the Center for Homeland Security at the laboratory and how it relates to federal, state and local law enforcement agencies. He also discussed LANL's partnership with Sandia National Laboratories on the National Infrastructure Simulation and Analysis Center, which provides technical planning and support for the study of critical infrastructures, noting that LANL had already been contacted about analysis of the recent blackout on the east coast.

### **Business Operations Presentation**

Richard Marquez, associate director for administration at LANL, detailed efforts to reform the business and financial systems at the laboratory in the wake of recent reports regarding abuse of procurement practices and purchase cards by some LANL employees. He noted that he believed LANL had decent financial policies and procedures in place for some time, and that it was the departure from those established policies that actually led to problems. Mr. Marquez also explained that such a backlog existed in the reconciliation of laboratory credit card purchases that it was impossible to counter public criticism of laboratory practices with actual data showing the problem to be much less severe than reports by the local media indicated.

As a means of addressing the problems within the business and financial systems at LANL, Mr. Marquez stated that a complete inventory of laboratory property was nearly

complete, with 99.5 percent of the laboratory's property accounted for. He also discussed plans for an external audit of LANL; ways of improving the laboratory's business relationship with local businesses; real-time reconciliation of credit card purchases; and various other corrective actions taken or planned by the laboratory.

There being no further business, the committee adjourned at 5:05 p.m.

Revised: September 4, 2003

**TENTATIVE AGENDA  
for the  
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**

**September 8, 2003  
Northern New Mexico Community College Conference Room  
Española**

**Monday, September 8**

- 10:00 a.m.    CALL TO ORDER  
                  —Senator Phil A. Griego, Co-chairman
- 10:05 a.m.    COMMITTEE BUSINESS  
                  —Approval of Minutes  
                  —Staff Reports
- 10:15 a.m.    ENVIRONMENTAL ISSUES  
                  —Elaine Cimino, La Cienega Citizens for Environmental Safeguards
- 11:00 a.m.    NORTHERN NEW MEXICO CITIZENS ADVISORY BOARD  
                  —Jim Brennan, Chairman
- 11:30 a.m.    WORK FORCE ISSUES PANEL  
                  —Joseph Montoya  
                  —Armando Vigil  
                  —Gloria Cordova  
                  —Gloria Mirabal  
                  —Delores Salazar
- 12:00 noon    LUNCH
- 1:30 p.m.    UNION ISSUES  
                  —Teresa Gonzales Connaughton, President, UPTE Los Alamos
- 2:00 p.m.    LABORATORY SALARY STUDY  
                  —Finis Welch, Welch Consulting  
                  —George P. Nanos, Director, Los Alamos National Laboratory
- 3:30 p.m.    PUBLIC COMMENT
- 4:00 p.m.    ADJOURN

**MINUTES  
of the  
FOURTH MEETING  
of the  
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**

**September 8, 2003  
Northern New Mexico Community College Conference Room  
Española**

The fourth meeting of the Los Alamos National Laboratory Oversight Committee was called to order on Monday, September 8, at 10:15 a.m. in the conference room of Northern New Mexico Community College by Representative Roberto "Bobby" J. Gonzales, co-chair.

**PRESENT**

Rep. Roberto "Bobby" J. Gonzales, Co-chair  
Rep. Thomas A. Anderson  
Rep. Debbie A. Rodella  
Rep. Nick L. Salazar

**ABSENT**

Sen. Phil A. Griego, Co-chair  
Sen. Manny M. Aragon  
Sen. William H. Payne

**Advisory Members**

Sen. Richard C. Martinez  
Rep. Jeannette O. Wallace

Rep. Ben Lujan  
Sen. Richard M. Romero  
Sen. William E. Sharer

**Staff**

Raúl Burciaga  
Jeret Fleetwood

**Guests**

The guest list is in the original meeting file.

On a motion made, seconded and unanimously approved, the committee adopted the minutes to the August 18 meeting as submitted.

**ENVIRONMENTAL ISSUES**

Elaine Cimino of La Cienega Citizens for Environmental Safeguards provided the committee with a list of environmental concerns that the group has regarding Los Alamos National Laboratory (LANL) and the Department of Energy, particularly cleanup of waste buried in LANL's Area G. She also listed the federal laws she believes LANL and the Department of Energy are violating through their actions at Area G.

Kathy Sanchez of Tewa Women United listed health problems that residents in nearby areas have experienced, which she believes are the result of contaminants introduced into the environment by LANL. She noted that she also believes the laboratory is in violation of numerous federal laws by continuing to pollute the environment.

Greg Mello of the Los Alamos Study Group noted that in 1984, he was among the first

New Mexico Department of Environment inspectors of LANL property. While conducting those inspections, he stated that he found numerous violations of environmental law at the laboratory and believes the problems he encountered then are still unresolved. Mr. Mello explained that waste is still being disposed at Area G in shallow, unlined trenches. He also estimated that the number of barrels of waste that will be disposed by LANL between 2003 and 2070 will fall between one and three million.

#### **NORTHERN NEW MEXICO CITIZEN'S ADVISORY BOARD**

Jim Brannon, chairman of the Northern New Mexico Citizen's Advisory Board (CAB), provided the committee with a short history of the CAB, noting that such boards were started as a mechanism for public involvement in Department of Energy operations across the country. He also outlined the board's makeup and mission and discussed some of the common misunderstandings the public may have in their perception of the board, mostly that of the CAB being a rubber stamp for the Department of Energy.

#### **WORK FORCE ISSUES PANEL**

Gloria Mirabal, a retired LANL employee from Los Lunas, recounted her experience as a laboratory employee, noting that she believed her hard work merited more promotions and larger raises than she was awarded by the laboratory. She noted, for example, that while she was performing some editing duties for a laboratory publication, she remained classified as a word processor. As a result of the lack of promotions and raises, she said that she felt compelled to retire from the laboratory early.

Gloria Cordova, another retired LANL employee, also discussed her employment with the laboratory, noting that while she had had some very positive experiences at the laboratory, she also had some very negative ones, too many of which she believes were the result of her integrity and willingness to speak out on behalf of work force and Hispanic issues.

Delores Salazar, a LANL employee for 25 years, explained that she has been an advocate of Hispanic issues at LANL and has served on a number of committees formed by the laboratory to explore such issues. However, she noted that because of the ineffectiveness of the committees and a lack of change on the laboratory's part, she no longer wants to be involved with such committees.

Armando Vigil, another long-time laboratory employee, emphasized that much progress has been made by LANL management on Hispanic and work force issues, and that activists such as himself and the other speakers were a reason for that progress. He also said that while he is sure the laboratory does not reward such activists with promotions and raises, he has no proof of them being punished.

Tomas Rivera, another retired LANL employee, discussed some of his employment history at the laboratory, noting that he retired after 29 years at the laboratory, the last five years of which he saw very few raises. He also told the committee that an investigation had been initiated regarding discrimination against him by the laboratory, but that to this day he is still unable to learn about the results of that investigation.

### **LABORATORY SALARY STUDY**

George P. Nanos, LANL director, and Dr. Finis Welch, an economist and statistician contracted by the laboratory to conduct a salary disparity study, discussed the results of Dr. Welch's study. Mr. Nanos also explained that since the committee had questioned the results of the study, he has agreed to allow legislative staff to review the data themselves, provided that confidentiality agreements are signed. He explained that since highly confidential personnel data is included in the study, he could not allow people who have not agreed to maintain that confidentiality to view the data.

The committee expressed further concern over the results of the study and whether some of the analysis could have included comparisons of Hispanic, other minority and Anglo women. The committee also expressed concern over the use of "years of relevant experience" as a factor in the study.

Dr. Welch explained that it is not uncommon for large pay disparities to exist in any professional setting. For example, he noted that the highest paid PhD economist at a university may earn as much as three times the salary of other PhD economists. He further stated that the process used for the study met with established standards for statistical integrity.

### **UNION ISSUES**

Teresa Gonzales Connaughton, a LANL employee and president of University Professional and Technical Employees, a union at LANL, discussed contract and pay disparity issues at the laboratory with the committee. She asked members of the committee to send letters to the Blue Ribbon Commission on the Use of Competitive Procedures for Department of Energy Laboratories asking them to hold open meetings, preferably in northern New Mexico, regarding competitive bidding on the contract to manage LANL.

Ms. Connaughton also raised concerns regarding the Welch report and its findings, noting that the Hispanic roundtable analysis and the general accounting office report on pay disparity at LANL both found significantly higher levels of pay disparity between Hispanics and white males than did the Welch report. She also noted that no studies have been conducted regarding promotion rates for Hispanics or age discrimination issues at the laboratory.

### **PUBLIC COMMENT**

Gloria Salazar asked the committee to request from the laboratory the total number of people who have come to LANL's ombudsman's office as a means of getting a clearer picture of the problems employees have had with laboratory management.

Charles Montano stated that he is proud of being one of the activists who brought issues of pay disparity and discrimination to the surface, though he noted that it has taken years of advocacy to do so. He also said that he believes the Welch report is ludicrous, and that several factors were included in the study for the sole purpose of diluting the results.

Candada Jones expressed her support for the committee to continue in perpetuity and

recommended that committee members become familiar with the Atomic Energy Act of 1954.

There being no further business, the committee adjourned at 4:35 p.m.

**TENTATIVE AGENDA**  
**for the**  
**LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**

**November 7, 2003**  
**Room 309, State Capitol**

**Friday, November 7**

- 10:00 a.m.    CALL TO ORDER  
                  —Senator Phil A. Griego, Co-Chairman  
                  —Representative Roberto "Bobby" J. Gonzales, Co-Chairman
- 10:05 a.m.    COMMITTEE BUSINESS  
                  —Approval of Minutes  
                  —Staff Reports
- 10:15 a.m.    WELCH REPORT ANALYSIS  
                  —Bill Taylor, Legislative Finance Committee
- 12:00 noon    LUNCH
- 1:30 p.m.    NORTHERN NEW MEXICO CITIZENS ADVISORY BOARD  
                  —James Brannon, Chairman
- 3:15 p.m.    ADJOURN



**MINUTES  
of the  
FIFTH MEETING  
of the  
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**

**November 7, 2003  
Room 309, State Capitol**

The fifth meeting of the Los Alamos National Laboratory (LANL) Oversight Committee was called to order on Friday, November 7, at 10:20 a.m. in Room 309 of the State Capitol by Senator Phil A. Griego, Co-chair.

**PRESENT**

Sen. Phil A. Griego, Co-chair  
Rep. Roberto J. "Bobby" Gonzalez, Co-chair  
Rep. Thomas A. Anderson  
Sen. Manny M. Aragon  
Rep. Debbie A. Rodella  
Rep. Nick L. Salazar

**ABSENT**

Sen. William H. Payne

**Advisory Members**

Sen. Richard C. Martinez  
Rep. Jeannette O. Wallace

Rep. Ben Lujan  
Sen. Richard M. Romero  
Sen. William E. Sharer

**Staff**

Raúl Burciaga  
Jeret Fleetwood

**Guests**

The guest list is in the original meeting file.

On a motion made, seconded and unanimously approved, the committee adopted the minutes to the September 8 meeting as submitted.

**Welch Report Analysis**

Bill Taylor, an analyst for the Legislative Finance Committee, provided the committee with the results of his own analysis of the data used by Welch Consulting when they developed their examination of salaries at Los Alamos National Laboratory (LANL). Mr. Taylor explained that he had traveled to College Station, Texas, where Welch consulting is based, to examine the data used in the original and to attempt to answer a number of questions raised by the original report.

Mr. Taylor explained to the committee that he had re-run the report without including a number of variables that were used in the original report, including the job performance scores whose inclusion in the original report was criticized due to the subjective nature of the scores. He noted that his own analysis of the data has numbers that are slightly different from the original report, but that the difference between the two sets of numbers is not large enough to be statistically significant. However, Mr. Taylor cautioned the committee that the discrimination about which some critics had complained could be occurring on an individual basis and would not necessarily be revealed by an examination of larger groups' salaries.

The committee expressed concern over some of the results and implications of Mr. Taylor's analysis. Rick Ulibarri, of the LANL community and external relations office, explained to the committee that the laboratory director has made a commitment to resolve salary inequities at the laboratory in a manner that will not allow such problems to develop again.

### **Northern New Mexico Citizens Advisory Board**

James Brannon, chairman of the Northern New Mexico Citizens Advisory Board (NMCAB), restated the role of the NMCAB as volunteers who serve as an intermediary between the federal Department of Energy and the community. He then addressed a number of questions raised at the committee's September meeting regarding LANL's Area G, where the laboratory stores some of its waste material. He noted that while critics charge that the laboratory is disposing of waste in unlined pits at Area G, an unlined pit is more desirable than a lined one in this case because of the kinds of material being placed in the pits, the geologic makeup of the ground beneath the pits and the potential problems that might arise from water not being able to drain away from the waste in the pits.

Mr. Brannon also discussed the presence of tritium at Area G. He explained that tritium is indeed present at Area G and is a product of some contaminated waste being placed in sealed tubes that leak. However, he noted that tritium has a relatively short half-life and is likely not harmful in the very small doses that are leaking from the sealed tubes.

Finally, Mr. Brannon told the committee that while the history of waste disposal at Area G is far from perfect, current management of Area G's waste is better than that of most waste sites in the country. He also noted that attempting to dig out the material in the pits at Area G in search of better disposal methods would likely create more problems than it would solve.

### **Public Input**

Several members of the New Mexico Building and Construction Trades Council told the committee that LANL is somewhat lax in its hiring and contracting of appropriately licensed building and construction workers. They asked that LANL make a more concerted effort to work with the council in addressing those concerns.

There being no further business, the committee adjourned at 2:55 p.m.

